

**MINUTES OF THE REGULAR MEETING
OF THE LA SALLE CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS,
745 SECOND STREET, LA SALLE, IL.
7:00 P.M., Monday, January 4, 2016**

CALL TO ORDER

The meeting was called to order by Mayor Grove at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present- Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

Excused Absence: None

A quorum was present.

APPROVAL OF MINUTES

Moved by Alderman Demes and seconded by Alderman Reynolds that the minutes of the regular City Council meeting held on Monday, December 21, 2015 are accepted and placed on file. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

PETITIONS

Moved by Alderman Lavieri and seconded by Alderman Reynolds to grant the request from Greg Vaccaro on behalf of Citizens to Elect Greg Vaccaro for a 2016 Raffle License. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Moved by Alderman Bacidore and seconded by Alderman Herndon to refer the request from Lisa Furleigh, owner of Quilting in the Valley, for three designated 15 minute parking places near her store at 117 Gooding Street to the Streets, Alleys and Traffic Committee. Each and every alderman has a copy.

Voice vote, all ayes. Motion carried.

The Streets, Alleys and Traffic Committee will meet at 6:45 p.m. on Monday, January 18, 2016.

REPORTS OF CITY OFFICERS

COMMUNICATIONS

Moved by Alderman Duncan and seconded by Alderman Schneider to accept and place on file thank you notes from the family of Len Trovero and from Machele Senica of Machele's Backstreet.

Voice vote, all ayes. Motion carried.

STANDING COMMITTEES

Moved by Alderman Bacidore and seconded by Alderman Reynolds to accept the recommendation of the Streets, Alleys, and Traffic Committee concerning a request from Lanny and Christy Slevin for no parking signs on a portion of the west side of the 1400 block of Campbell Avenue. It is the recommendation of the committee to send a letter to the affected residents informing them that the City Ordinance prohibiting parking directly across from a driveway on streets less than 30 feet in width will be enforced and violators will be ticketed. If the problem continues over the next month, the issue will be referred back to the Streets, Alleys and Traffic Committee for further consideration of placing signage as requested.

Voice vote, one nay. Motion failed.

Alderman Schneider voted nay as he believed the Slevins did their due diligence and is in favor of a sign.

ROLL CALL: AYE: Alderman, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: Alderman Demes, Alderman Schneider **Absent:** None **Abstain:** None
Motion Carried 6-2

Mayor Grove stated that the Slevins have been asked to keep the City updated on the situation. The Mayor also asked the press to remind the public that if it is a narrow road (less than 30 ft.) residents can be ticketed for parking directly across from a driveway.

OLD BUSINESS

After further investigation of the sizes of Wayfinding Signage Don Aleksy reported that the larger sign (36" x 45") is what is used in other communities in the area.

Moved by Alderman Reynolds and seconded by Alderman Herndon to move forward with the larger Wayfinding Signage.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: None **Absent:** None **Abstain:** None
Motion Carried 8-0

Moved by Alderman Lavieri and seconded by Alderman Duncan to authorize, pay and place on file Invoice 122815 from Midwest Testing Services, Inc. totaling \$4,180 for Material Testing and Inspection for the 2015 MFT Program. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: None **Absent:** None **Abstain:** None
Motion Carried 8-0

Mayor Grove once again expressed his thanks and appreciation to the Public Works Department for their hard work during the holiday season, Manuela Booker for decorating City Hall and to all businesses, volunteers and families who helped make the Celebration of Lights a success.

NEW BUSINESS

ORDINANCES AND RESOLUTIONS

Moved by Alderman Schneider and seconded by Alderman Lavieri to approve and place on file

Ordinance 2618: An ordinance clarifying and revising the City of La Salle Ordinances related to Municipal Utility Tax and related matters. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: None **Absent:** None **Abstain:** None
Motion Carried 8-0

Ordinance 2618—An ordinance clarifying and revising the City of La Salle Ordinances related to Municipal Utility Tax and related matters.

Mayor Grove asked for clarification regarding the City's responsibility as far as meeting EPA/OSHA requirements concerning the apartment building at 615-625 Sixth Street.

Attorney McPhedran explained that regarding this matter there are regulations from various government entities. The City has spoken to representatives with the EPA and OSHA. Each has different regulations and exemptions, therefore leading to some confusion. Attorney McPhedran stated that regarding the property that Ms. Tomlinson is most concerned about on Sixth Street, per the EPA, the property may be potentially exempt from some EPA requirements, however any specs or contracts should specifically indicate that the contractor must respect any rules and regulations established by the agency and the responsibility is on the contractor to abide by them. In addition, OSHA does have specific regulations that definitely would or could apply as to the manner in which the building is taken down. If the City puts specs out in the contract, then it is the contractor's responsibility to comply with regulations. Attorney McPhedran added that the City must clearly state in the specs that asbestos is present and that the

demolition process and the discarding of materials in a landfill must be compliant with OSHA and EPA regulations. In addition, there would need to be provisions in the contract that clearly indicate that it is the contractor's sole responsibility and not the City's to meet these requirements.

Alderman Demes stated for the record that his position on this property is that the City never sells the property for rehabilitation. He added that he lives in a similar situation and the landlord is a small part of the equation. His stand as a First Ward Alderman is that he hopes the City will demolish it or hold on to it until we have the money to tear it down.

Attorney McPhedran stated that some information was circling that the City was exempt from meeting any requirements. Based on his discussions with the agencies, this is not the case. If the City goes out for demolition bids, the contractor must abide by both EPA and OSHA's regulations. The Mayor asked how the City holds the contractor accountable to meet these regulations.

Cathy Tomlinson replied that it is her understanding that once the contractor signs the contract and the City has specified that there is asbestos in the building, the contractor is responsible to meet the requirements, not the City. Attorney McPhedran concurred with Ms. Tomlinson.

Chris Covert said that he spoke to the EPA in Springfield who indicated that there are certain exemptions for asbestos abatement based on how many units are in the building. This building is below the threshold therefore abatement is not needed, but the OSHA requirements must be adhered to regardless of the size of the building. The OSHA standards pertain to the safety of those taking the building down. The contractor must abide by the rules established by OSHA for the protection of those doing the demolition.

Attorney McPhedran reiterated it is not the City's role to interpret or present EPA or OSHA regulations.

Brief discussion followed and it was agreed that the process of securing bids would begin and the council would address this at a future time.

Mayor Grove stated that Chris Covert brought up the possibility of establishing some type of fine or penalty to make property owners accountable for court costs and legal fees connected with property maintenance cases. These fees would be due when the case is dropped because the issues have been addressed. The Mayor stated that the primary goal is to get the issues taken care of, but there is time and costs associated with going to court and many of these problems go on for years and years. The council will consider this idea and address it at a future meeting.

COMMENTS

Cathy Tomlinson indicated how nice the light display was at Rotary Park.

Chief Uranich thanked his department for their contribution to the Officer Santa program and for their time donated to the project. Fifty-six children were provided with gifts and twenty four families were given grocery vouchers. The Mayor thanked the Police Department as well.

7:26 p.m. Moved by Alderman Lavieri and seconded by Alderman Schneider to suspend regular session and enter into Executive Session regarding pending and/or potential imminent litigation and related matters: Collective bargaining and related matters, acquisition and/or sale of city real estate and related matters and the employment, appointment, performance and/or compensation of non-union personnel and related matters pursuant to the Open Meetings Act including 5-ILCS 120 Section 2(c)1-3,5,6,and 11 thereof.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: None Absent: None Abstain: None

Motion Carried 8-0

9:07 p.m. Moved by Alderman Lavieri and seconded by Alderman Herndon to exit Executive Session and resume regular session.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Herndon, Schneider
NAY: None Absent: None Abstain: None

Motion Carried 8-0

APPROVAL OF BILLS

Moved by Alderman Ptak and seconded by Alderman Lavieri that bills submitted totaling \$482,778.79 (Total Payroll \$166,369.19, Bills to be Paid \$56,051.28, Total Bills Paid \$260,358.32) be accepted, paid and placed on file. Each and every alderman has a copy.

ROLL CALL: AYE: Alderman Demes, Bacidore, Ptak, Reynolds, Lavieri, Duncan, Schneider

NAY: None Absent: None Abstain: None

Motion Carried 8-0

Moved by Alderman Reynolds and seconded by Alderman Demes to adjourn the meeting.

Voice vote, all ayes. Motion is carried.

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ADJOURNED 9:02 p.m.



Carrie L. Brown, City Clerk